

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON FEBRUARY 28, 2018

The meeting was called to order by Mayor Miller at approximately 7:00 P.M. with the opening statement that the meeting had been duly advertised and met all the requirements of the Sunshine Law. Also present were: Deputy Mayor Verrilli, Councilwoman Hamilton, Councilman Kula, Councilman Kaminski, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Dawn Sullivan of Dorsey & Semrau.

SALUTE THE FLAG

Hardyston Township School District Update:

Ronald Hoffman, Hardyston Township Board of Education President, and Michael Ryder, Chief School Administrator, provided the Council with an update on the proposed school budget and school security.

CONSENT AGENDA: ALL MATTERS LISTED BELOW ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.

Monthly Reports:

1. Municipal Clerk Report – January 2018
2. Tax Collector Report – January 2018
3. Construction Certificate Activity Report – January 2018
4. Construction Permit Activity Report – Hardyston – January 2018
5. Construction Permit Activity Report – Hamburg – January 2018
6. Construction Permit Activity Report – Franklin – January 2018
7. Construction Permit Activity Report – Newton – January 2018
8. Construction Permit Activity Report – Sussex – January 2018
9. Construction Permit Activity Report – Wantage – January 2018
10. SCHED Report – December 2017
11. SCHED Report – January 2018
12. Land Use Report – January 2018
13. Zoning Board of Adjustment Annual Report - 2017
14. Police Department Report – January 2018
15. Municipal Court Report – January 2018
16. Littell Community Center Report – January 2018

Minutes:

1. Workshop Minutes of 6/14/17
2. Regular Minutes of 6/14/17
3. Executive Minutes of 6/14/17
4. Regular Minutes of 8/9/17
5. Executive Minutes of 8/9/17
6. Workshop Minutes of 9/13/17
7. Regular Minutes of 9/13/17
8. Regular Minutes of 9/27/17
9. Workshop Minutes of 10/11/17
10. Regular Minutes of 10/11/17
11. Executive Minutes of 10/11/17
12. Workshop Minutes of 11/8/17
13. Regular Minutes of 11/8/17
14. Special Minutes of 11/27/17
15. Regular Minutes of 12/13/17
16. Executive Minutes of 12/13/17

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Agreements/Applications/Licenses:

1. Raffle License – YMCA Metropolitan of the Oranges

A motion was made by Kula to approve the consent agenda as presented, seconded by Kaminski. All in favor. Motion carried.

ORDINANCES

1st READING:

2018-05

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY
AUTHORIZING THE CHIEF OF POLICE TO EXECUTE
AN APPLICATION FOR THE HARDYSTON FIRE DEPARTMENT
FOR A CHARITABLE SOLICITATION WITHIN THE
TOWNSHIP OF HARDYSTON**

BE IT ORDAINED, by the Township Council of the Township of Hardyston, in the County of Sussex and State of New Jersey, as follows:

SECTION 1. The Township of Hardyston hereby approves Hardyston Township Fire Department's request to hold a charitable solicitation at the intersection of New Jersey State Highway Route 23 and County Route 515. The dates and times approved for said solicitation are as follows: August 11 & 12, 2018; between the hours of 8:00 a.m. and 4:00 p.m.

SECTION 2. The Township of Hardyston hereby approves Hardyston Township Fire Department's request to hold a charitable solicitation at the intersection of New Jersey State Highway Route 94 and County Route 631. The dates and times approved for said solicitation are as follows: May 26 & 27, 2018; October 6 & 7, 2018; between the hours of 8:00 a.m. and 4:00 p.m.

SECTION 3. The approvals authorized herein are subject to and expressly conditioned upon the following:

- a. The Hardyston Township Fire Department's compliance with all rules, regulations and guidelines promulgated by the NJDOT for charitable solicitations, including, but not limited to, the posting of any and all necessary warning signs; and
- b. The approval of the Sussex County Board of Chosen Freeholders and the NJDOT.

SECTION 4. The Chief of Police is hereby authorized and directed to execute the application for a Charitable Solicitation Permit for the Hardyston Township Fire Department provided the above-stated conditions are met. The Hardyston Township Police Department shall be responsible for supervising the solicitation and enforcing the terms of the Charitable Solicitation Permit issued by the NJDOT.

SECTION 5. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 6. This Ordinance may be renumbered for purposes of codification.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

A motion was made by Kula to approve Ordinance 2018-05 on first reading, seconded by Hamilton. All in favor. Motion carried.

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ORDINANCES

2nd READING:

2018-04

**AN ORDINANCE OF THE COUNCIL OF THE TOWNSHIP OF
HARDYSTON AUTHORIZING THE SALE OF REAL
PROPERTY KNOWN AS BLOCK 67, LOT 51.12, AS PART OF
THE TOWNSHIP'S MARKET TO AFFORDABLE HOUSING
PROGRAM**

Purpose Statement:

The purpose of this Ordinance shall be to authorize the sale of real property known as 3 Meadow Lane, Block 67 Lot 51.12 in the Township of Hardyston to Buyer, Lindsay Westbrook, as part of the Township's market to affordable housing program.

WHEREAS, the Township owns Block 67 Lot 51.12, 3 Meadow Lane ("the property") in the Township of Hardyston ("Township" or "Hardyston"); and

WHEREAS, the property is a low-income housing unit that the Township desires to convey to Lindsay Westbrook, 28 Wits End Drive, Apt. 6C, Hardyston, NJ 07419 ("the Buyer") as part of the Township's Market to Affordable Housing Program; and

WHEREAS, the Township Council has determined that it should convey the property to the Buyer as part of the Township's Market to Affordable Housing Program for the purpose of addressing the Township's affordable housing obligations pursuant to the Township's Housing Element and Fair Share Plan and the New Jersey Council on Affordable Housing ("COAH") Substantive Rules (N.J.A.C. 5:97-1 et seq.).

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Hardyston that the Township shall convey 3 Meadow Lane, Block 67, Lot 51.12 in the Township to Buyer Lindsay Westbrook, for consideration in the amount of \$95,000.00, and in accordance with the terms of a Contract for Sale to be executed by the Buyer and the Township.

NOW, THEREFORE, BE IT FURTHER ORDAINED, that the Mayor and Council of the Township of Hardyston, the Township Manager and Clerk, the Township Housing Liason, and Vogel, Chait, Collins and Schneider, P.C., as Special Counsel to the Township of Hardyston are hereby authorized to prepare and execute any and all documentation to effectuate the sale of the property described herein.

Severability.

If any section, paragraph, subdivision clause or provision of this Ordinance shall be judged invalid, such adjudication shall apply only to that section, paragraph, sub-division, clause or provision and the remainder of the Ordinance shall be deemed valid and effective.

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Effective Date.

This ordinance shall take effect after publication and passage in accordance with law.

A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. No public comment. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried. A motion was made by Hamilton to approve Ordinance 2018-04 on second reading, seconded by Verrilli. All in favor. Motion carried.

NEW BUSINESS:

A. Correspondence

1. County of Sussex
2. State of NJ
3. State of NJ
4. JCP&L

A motion was made by Kula to approve the correspondence as presented, seconded by Kaminski. All in favor. Motion carried.

Township Manager informed the Council that funding has been approved from the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2018 Municipal Aid Program to offset the cost for Davis Road and Old Prospect School Road Resurfacing in the amount of \$255,000.00. She stated that a joint grant application was submitted by Hardyston Township for Hardyston Township and Sparta Township.

Township Manager stated that the three party agreement between the HTMUA, Hardyston Township and Riverdale Quarry has been executed, and that the project for the upgrade to the fire suppression system can move forward.

Township Manager stated that it is anticipated that the 2018 Budget Introduction will be presented at the March 14, 2018 meeting, and that the 2018 Budget Public Hearing and Adoption will be on April 11, 2018 meeting.

BILLS TO BE PAID: A motion was made by Hamilton to approve the bill list as presented, seconded by Verrilli. All in favor. Motion carried.

PUBLIC PORTION: A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. Resident Michele Van Allen asked if the monthly reports and the meeting minutes listed on the consent agenda were available for review. Township Manager stated that they are available for review. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

ADJOURNMENT: A motion was made by Verrilli to adjourn at approximately 7:45 p.m., seconded by Hamilton. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk